Nanette S. Edwards, Executive Director



Office of Regulatory Staff 1401 Main Street Suite 900 Columbia, SC 29201 (803) 737-0800 ORS.SC.GOV

C. LESSIE HAMMONDS

Counsel for ORS

November 6, 2019

VIA ELECTRONIC FILING

Jocelyn G. Boyd, Esquire Chief Clerk & Administrator Public Service Commission of South Carolina 101 Executive Center Drive, Suite 100 Columbia, South Carolina 29210

Re: Amended Petition of the Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers for Non-Payment of Decal Fees

Docket No. 2019-270-T

Dear Ms. Boyd:

On August 7, 2019 the Office of Regulatory Staff ("ORS") filed a Petition to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers for Non-Payment of Decal Fees ("Petition"). The Petition referenced decal fees that were due on or before January 1, 2019. However, the Petition should have referenced decal fess that were due on or before July 1, 2019. Therefore, to correct the error, ORS requests that the Petition filed on August 7, 2019 be withdrawn. Attached is the Amended Petition of the Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers for Non-Payment of Decal Fees ("Amended Petition"). We request that the Amended Petition, along with its Exhibit A and Exhibit B be filed in this same docket.

Additionally, ORS requests that the hearing for this matter be scheduled at the Commission's earliest possible date after all required notice and filing deadlines have been met.

Letter – Jocelyn G. Boyd, Esquire Page 2 of 2 November 6, 2019

Thank you for your consideration in this matter and please do not hesitate to contact me if you have any concerns regarding the matter above.

Sincerely,

C. Lessie Hammonds

cc: Joseph Melchers, Esquire (via E-mail) All Parties of Record (via U.S. Mail)

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2019-270-T

IN RE:

Petition of the Office of Regulatory) Staff to Revoke Certificates of Public)

Convenience and Necessity of Certain Motor Carriers for Non-Payment of

Decal Fees

AMENDED PETITION FOR REVOCATION OF CERTIFICATES OF PUBLIC

CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

OF CERTAIN MOTOR CARRIERS

The South Carolina Office of Regulatory Staff ("ORS"), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina ("Commission"):

)

- 1. That the Commission is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. § 58-23-10 et seq. (2015 and Supp. 2015); that ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. § 58-4-10 et seq. (2015 and Supp. 2015).
- 2. That the companies listed in Exhibit A have been approved by the Commission and certified by the ORS to operate as "motor vehicle carriers" as defined in S.C. Code Ann. § 58-23-10(4) (2015) in that they own, control, operate, or manage motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.
- 3. That the companies listed in Exhibit A, each having applied for and having an Order from the Commission to receive a Certificate of Public Convenience and Necessity ("PC&N") to operate a motor vehicle carrier as defined in S.C. Code Ann. § 58-23-10(4) (2015), have submitted to the jurisdiction of the Commission by holding said Certificate PC&N, and are therefore subject to the jurisdiction of this

Commission pursuant to S.C. Code Ann. § 58-23-1010 et seq. (2015 and Supp. 2015). See Exhibit A, Carriers Out of Compliance for Non-Payment of Decal Fees.

- 4. That the companies listed in Exhibit A, prior to receiving their Certificate of PC&N, were each found to be fit, willing and able to operate as a motor carrier by the Commission; from our understanding that in obtaining such authority the companies certified they are "familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina and agree to operate in compliance with these statutes and regulations." 10 S.C. Code Ann. Regs. 103-133(4)(a) (2012).
- 5. That, "[a] holder of a certificate A, B, or C with less than twenty vehicles must semiannually on or before January first and July first of each year pay to the Office of Regulatory Staff the following fees: for vehicles weighing not more than two thousand pounds, seven dollars and fifty cents; and for vehicles weighing in excess of two thousand pounds, seven dollars and fifty cents for the first two thousand pounds and two dollars and fifty cents additional for each additional five hundred pounds or part thereof of weight, except that the total license fee may not exceed fifty dollars per vehicle semiannually." S.C. Code Ann. § 58-23-560 (2015) (emphasis added).
- 6. That, pursuant to S.C. Code Ann. § 58-4-10 et seq. (2015 and Supp. 2015), beginning January 1, 2005, ORS must represent the public interest of South Carolina before the Commission and has authority to enforce collection of such fees.
- 7. That the companies listed in Exhibit A are subject to the fees listed in S. C. Code Ann. § 58-23-560 (2015) and have failed to pay fees that were due on or before July 1, 2019, and therefore, are not in compliance with Commission statutes governing the regulation of motor carriers. <u>See</u> Exhibit B, Affidavit of Carole Chauvin.
- 8. That "[t]he commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has willfully violated or refused to observe orders, rules, or regulations prescribed by the commission, provisions of the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the

holder of such certificate, or, if, in the opinion of the commission, the motor carrier holding a Certificate of PC&N is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria...." 10 S.C. Code Ann. Regs. 103-240 (2012).

- 9. That "[t]he commission may, after a hearing, order the suspension, revocation, alteration, or amendment of any certificate issued pursuant to Articles 1 through 11 of this chapter, if it is proved that the holder of the certificate wilfully made any misrepresentation of a material fact in obtaining his certificate or wilfully violated or refused to observe the laws of this State touching motor vehicle carriers or wilfully violated any of the terms of his certificate or of the commission's proper orders, rules or regulations. But the holder of the certificate has the right of appeal to any court of competent jurisdiction. The commission must not be a party to any appeal." S.C. Code Ann. § 58-23-320 (2015).
- 10. That the information listed in Exhibit A is the mailing address for each carrier on file with the Commission and ORS and the information listed in Exhibit A was provided by each carrier listed in Exhibit A. See Exhibit A, Carriers Out of Compliance for Non-Payment of Decal Fees. See Exhibit B, Affidavit of Carole Chauvin.

WHEREFORE, ORS respectfully requests that the Honorable Commission:

- 1. Provide for the opportunity by the carrier to respond to the allegations of this Petition within (30) days from the date of the receipt of this Petition;
- 2. Schedule and conduct a formal administrative hearing as soon as practicable to address disputed issues of fact and law regarding the Certificates of PC&N of the carriers listed in Exhibit A, which ORS seeks to have revoked by the Commission in this action pursuant to 10 S.C. Code Ann. Regs. 103-240 (2012) and S.C. Code Ann. § 58-23-320 (2015);
- 3. Following the formal administrative hearing, immediately rule to revoke the Certificates of those motor carriers listed in Exhibit A in accordance with the authority provided to the

Commission under 10 S.C. Code Ann. Regs. 103-240 (2012) and S.C. Code Ann. § 58-23-320 (2015) and thereafter immediately enter a final Order; and,

4. For other appropriate action which the Commission may deem necessary.

C. Lessie Hammonds, Esquire

South Carolina Office of Regulatory Staff

1401 Main Street, Suite 900 Columbia, South Carolina 29201

Phone: (803)737-0800 Fax: (803)737-0895

Email: <u>lhammonds@ors sc.gov</u>

November 6, 2019 Columbia, South Carolina

Exhibit A - Carriers Out of Compliance for Non-Payment of Decal Fees November 8, 2019 Docket No. 2019 7

EXHIBIT A Page 1 of 1

No. Docket#	Cert Type	NAME	DBA	ADDRESS	CITY	STATE	ZIP CODE
1 2018-216-T		ART Transportation, LLC			Columbia	SC	29203
2 2019-25-T	Class C Taxi	Beach Bound Taxi Shuttle lic		3319 Darden Rd (Greensboro	NC	27407
3 2018-215-T		Beckon of Hope, LLC			Fort Mill	SC	29707
4 2018-101-T		Ben Alverson	Alverson's Limo Service		Lexington	SC	29073
5 2018-131-T		Boss Transportation L.L.C.		1200 Landau Ln	Mt Pleasant	SC	29465
6 2018-335-T		Capital Area Transport Services, LLC			Sumter	SC	29150
7 2005-250-T	Class C Taxi	Charleston Transportation Leasing, LLC		<u> </u>		SC	29419
8 2015-49-T	Class C Charter	Eric Anloszewski	Limo One	532 Alderly Ct	Little River	SC	29566
9 2017-199-T	Class C Charter	Executive Cab LLC	JJ's Limo Service	619 Frink St	Cayce	SC	29033
10 2015-208-T	Class C Taxi	Gary Mixson	Steadfast Taxi	203 Berry St	Bamwell	SC	29812
11 2015-87-T	Class C Non-Emer	Gentle Care Transportation LLC		3129 Greystone Dr	Florence	SC	29501
12 2016-405-T	Class C Text	George C. Mclean, Jr.		2534 E Old Marion Hwy	Florence	SC	29506
13 2018-275-T	Class C Non-Emer	Georgette Robinson	Kingdom Care	1065 Hammond Dr	Allendale	SC	29810
14 2007-90-T	Class C Charter	Gibbs Transportation Services, LLC		224 Louisville Dr	Greenville	SC	29607
15 2018-393-T	Class C Non-Emer	Grateful med transportation ilc		21 Oaks Plantation Rd	St. Helena Island	SC	29920
16 2018-261-T	Class C Charter	Greater Faith Transport Services, LLC		658 Prosperity Dr	Lamar	SC	29069
17 1997-328-T	Class C Taxi	Heather Henderson	Yellow Cab Company	138 S Main St	Sumter	SC	29150
18 2015-200-T	Class C Taxi	Henry Green, Jr.		776 Hitching Post Rd	Charleston	SC	29414
19 2016-113-T	Class C Taxi	James T. Jamison		1919 English St	North Charteston	SC	29405
20 2009-80-T	Class C Taxi	James White	JCW Taxi	14 Coral Dr	Goose Creek	SC	29445
21 2012-424-T	Class C Taxi	Julius Cuttino, Jr.		4 Grover Ln (Goose Creek	SC	29445
22 2011-43-T	Class C Charter	Lewis & Lewis Transportation Services, LLC		PO Box 427	Summerville	SC	29484
23 2018-295-T	Class C Texi	Lucky Riders Taxi Service, LLC		313 Brook Hollow Dr	Columbia	sc	29229
24 2018-87-T	Class C Non-Emer	Luomo Creatives, LLC		9055 Maier Rd	Laurel	MD	20723
25 2018-370-T	Class C Non-Emer	Lyles Services LLC	Wellness Transport	1570 Pumphouse Rd	Winnsboro	SC	29180
26 2018-66-T	Class C Charter	Morgan's Limousine and Transportation Services, LLC	Low Country Elite Limousine and Transportation Services	900 Mockingbird Lane	Charleston	sc	29414
27 2018-388-T	Class C Non-Emer	Muna Nasir Sufl	Adult Transportation	509 Amaryllis Dr	Columbia	sc	29229
28 2014-443-T	Class C Taxi	NBY Taxi Service LLC		1200 2nd St	Newberry	SC	29108
29 2011-477-T	Class C Taxi	Nedra C. Myers	Charleston Classic Transportation	7650 Nellview Dr	North Charleston	sc	29418
30 2012-418-T	Class C Non-Emer	R and E Medical Transportation, LLC		9 Carson Dr	Charleston	SC	29407
31 2017-287-T	Class C Non-Emer	Rhonda Alston	Faithful Transportation	513 W Liberty St 5	Sumter	SC	29150
32 2015-373-T	Class C Charter	S & K Transportation, LLC		9452 Ayscough Rd	Summerville	SC	29485
33 2017-101-T	Class C Non-Emer	S and SC Transport, LLC		3825 Charters Dr	Florence	sc	29501
34 2018-279-T	Class C Non-Emer		Expedient Transportation	2611 Lamar Ct	Marion	SC	29571
35 2018-107-T	Class C Non-Emer	Tamekia Lewis	Easy Ride Transportation		Johnston	sc	29832
36 2012-255-T	Class C Taxi	Tee Time Text, LLC				SC	29579
37 2016-104-T		The Valet Express, LLC				SC	29306
38 2019-78-T		Toppi Legistics, LLC	Charleston Entourage		Summerville	sc	29485

EXHIBIT B

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. <u>QOI9-270-T</u>

November 6, 2019

IN RE: Petition of the Office of Regulatory Staff to Revoke
Certificates of Public Convenience and Necessity of
Certain Motor Carriers for Non-Payment of Decal
Fees

AFFIDAVIT OF CAROLE CHAUVIN

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as a Program Specialist for the Transportation Department.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) My duties and responsibilities as a Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete, or which are not on file with ORS.
- 6) On November 6, 2019, I examined the business records on file with ORS.
- 7) As a result of that examination, I attest that the License Decal Application Form(s) and appropriate license decal fee(s) as required by S.C. Code Ann. § 58-23-560 (2015) have not been filed with ORS by the following carriers as of November 6, 2019: (See attached list)

AND FURTHER THE AFFIANT SAYETH NOT.

Carole Chauvin

Program Specialist, Transportation Department Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, S.C. 29201

Sworn and subscribed before me this 640 day of 1000mber, 20 19

Notary Public for South Carolina

My Commission Expires: 10/16/23

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2019-270-T

Petition of the South Carolina Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers for Failure to Pay Decal Fees	CERTIFICATE OF SERVICE
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This is to certify that I, Vicki L. Watts, have this date served one (1) copy of the AMENDED PETITION FOR REVOCATION OF CERTAIN CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY OF CERTAIN MOTOR CARRIERS FOR FAILURE TO PAY DECAL FEES in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

SEE ATTACHED EXHIBIT A

Vicki L. Watts

November 6, 2019 Columbia, South Carolina

Gentle Care Transportation LLC

3129 Greystone Dr

Florence, SC 29501

A.Q. Stevenson AA Coastal Transportation of SC, LLC A.Q. Taxi Service Affordable Freedom Mobility, LLC 3887 Stillwood Dr 1015 Nellie St 401 WalkingStick Way Myrtle Beach, SC 29588 Florence, SC 29505 Simpsonville, SC 29680 Ambu-Sure, LLC American Limousine, LLC Ambu-Sure, LLC PO Box 19221 297 Foxhall Rd 297 Foxhall Rd Spartanburg, SC 29306 Spartanburg, SC 29306 Charlotte, NC 28219 Apple Transportation, LLC ART Transportation, LLC Beach Bound Taxi Shuttle lic 5 Gumtree Rd C3 4315 Wentworth Dr 3319 Darden Rd Hilton Head Island, SC 29926 Columbia, SC 29203 Greensboro, NC 27407 Ben Alverson Beckon of Hope, LLC Bettie Ann McCrae Alverson's Limo Service 1050 Forbes Rd 1761 Gregg Ave 163 McCartha Rd Fort Mill, SC 29707 Florence, SC 29501 Lexington, SC 29073 Boss Transportation L.L.C. Brights Care, LLC Burgandy Taxi Service, Inc. 1200 Landau Ln PO Box 61087 535 Clyburn Ave Mt Pleasant, SC 29466 N. Charleston, SC 29419 Hartsville, SC 29550 Chârleston Península Transportation LLC 2019
PO Box 12880
Charleston, SC 29422

Community Transportation Services 40 Sherman Ln
Greenville, SC 29605

Dwight Hagwood
Vintage Limousing Cardiss Green Capital Area Transport Services, LLC Always on Time Transportation 515 Broad St Ste 103 512 Beaver Dam Ct Sumter, SC 29150 Darlington, SC 29532 Charleston Transportation Leasing, LLC Club Horizons of Charleston, LLC PO Box 63523 170 Courthouse Square North Charleston, SC 29419 Florence, SC 29501 Connie F. Mitchell **Corderill Rivers** Vintage Limousine 2037 Rolling Hills Rd 2716 Budds Ave 134 Cooper Cir Columbia, SC 29210 North Charleston, SC 29405 Santee, SC 29412 Eric Antoszewski E Z Cabs, LLC Elite Limousine, LLC Limo One 1219 Lexi Lane 3833 North Mills River Rd 532 Alderly Ct Myrtle Beach, SC 29577 Mills River, NC 28759 Little River, SC 29566

Gary Mixson

203 Berry St

Steadfast Taxi

Barnwell, SC 29812

Executive Cab LLC

JJ's Limo Service

Cayce, SC 29033

619 Frink St

George C. Mclean, Jr. 2534 E Old Marion Hwy Florence, SC 29506

Grateful med transportation llc 21 Oaks Plantation Rd St. Helena Island, SC 29920

Gregory Jenkins Trucking, LLC G & G Transportation PO Box 187 Scranton, SC 29591

Island Limo LLC 5 Kids Way Hilton Head, SC 29926

James White JCW Taxi 14 Coral Dr Goose Creek, SC 29445

Keith Mitchell A-Astro Limo Service 196 Riverside Cir Goose Creek, SC 29445

Lewis & Lewis Transportation Services, LLC PO Box 427 Summerville, SC 29484

Luomo Creatives, LLC 9055 Maier Rd Laurel, MD 20723

Muna Nasir Sufi Adult Transportation 509 Amaryllis Dr Columbia, SC 29229

NealSon Logistics LLC PO Box 290635 Columbia, SC 29229 Georgette Robinson Kingdom Care 1065 Hammond Dr Allendale, SC 29810

Grayson & Grayson Community Services Transportation, LLC 2153 N Williamsburg Co Hwy Cades, SC 29518

Heather Henderson Yellow Cab Company 136 S Main St Sumter, SC 29150

J & L Enterprise Limo LLC 142 Farm Chase Dr Lexington, SC 29073

Jamie Dixon 2257 Blass Dr Florence, SC 29505

Knights Executive Transportation, LLC 2764 Pleasant Rd Ste A #10250 Fort Mill, SC 29708

Lou Ellen Warren Luxury Limousine Transportation 990 Malone Ferguson Rd Garnett, SC 29922

Lyles Services LLC Wellness Transport 1570 Pumphouse Rd Winnsboro, SC 29180

MXM Investments, LLC 107 Jeffrey St Darlington, SC 29532

Nedra C. Myers Charleston Classic Transportation 7650 Nellview Dr North Charleston, SC 29418 Gibbs Transportation Services, LLC 224 Louisville Dr Greenville, SC 29607

Greater Faith Transport Services, LLC 656 Prosperity Dr Lamar, SC 29069

Henry Green, Jr. 776 Hitching Post Rd Charleston, SC 29414

James T. Jamison 1919 English St North Charleston, SC 29405

Julius Cuttino, Jr. 4 Grover Ln Goose Creek, SC 29445

Lawrence Robinson Robinson Taxi Cab 203 5th Ave Mt Pleasant, SC 29464

Lucky Riders Taxi Service, LLC 313 Brook Hollow Dr Columbia, SC 29229

Morgan's Limousine and Transportation Services, LLC Low Country Elite Limousine and Transportation Services 900 Mockingbird Lane Charleston, SC 29414

NBY Taxi Service LLC 1200 2nd St Newberry, SC 29108

Phillip M. King, Sr. 1929 Effies Ln Florence, SC 29505

Prestige Limousine Service, L	LC				
2740 Jamestown Road					
Camden, SC 29020					

R and E Medical Transportation, LLC 9 Carson Dr Charleston, SC 29407 Renew Transportation LP 109 Midwood Rd Travelers Rest, SC 29690

Rhonda Alston Faithful Transportation 513 W Liberty St Sumter, SC 29150

Rowland Senior Services, LLC 25 Maplewood Dr Sumter, SC 29150 Royal Cabs, LLC 4685 Fish Hatchery Rd Gaston, SC 29053

S & K Transportation, LLC 9452 Ayscough Rd Summerville, SC 29485 S and SC Transport, LLC 3825 Charters Dr Florence, SC 29501 Salbo Enterprises, Inc. Limo Scene 152 Clovis Circle Myrtle Beach, SC 29579

Septian Jones
Beeline Transportation
5 Kids Way
Hilton Head, SC 29926

Sharon D. Fuller Expedient Transportation 2611 Lamar Ct Marion, SC 29571 Shoreline Medical Transport LLC Shoreline Medical Transport 452 Browns Cove Rd Ste B Ridgeland, SC 29936

Superior Senior Services LLC 3600 Chateau Dr Bldg R134 Columbia, SC 29204 Superior Senior Services LLC 3600 Chateau Dr Bidg R134 Columbia, SC 29204 Tamekia Lewis
Easy Ride Transportation
420 Railroad Ave
Johnston, SC 29832

Tee Time Taxi, LLC 755 Burcale Rd Apt K6 Myrtle Beach, SC 29579 The Valet Express, LLC 167 E Kennedy St Spartanburg, SC 29306 Toppi Logistics, LLC Charleston Entourage PO Box 51222 Summerville, SC 29485

Transportation Nanny, LLC PO Box 24 Mauldin, SC 29662 Travis Rapp and Emory Brown A Plus Luxury Limousine 201 Cannon Rd Greenwood, SC 29646 Walter McKever Brown Walter M. Brown Taxi Service 5850 Bramble Ave North Charleston, SC 29406

Wii Care Transportation, LLC Wii Taxi 1285 BrittleBank Rd Walterboro, SC 29488

Winston Alleyne 404 Charles St Florence, SC 29506 Yita Cannon 3606 E Winlark Dr Florence, SC 29506

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2019-270-T

IN RE: Petition of the South Carolina Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers for Failure to Pay Decal Fees	CERTIFICATE OF SERVICE
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